

Declaratory Resolution No. 478.

Condemnation of rights of ways
for sewerage purposes across,
through & under certain lots and
parcels of land lying south of
the Pennsylvania R.R. West of the
St. Marys River North of Carlton
Ave. and Carlton Ave. produced
East to the St. Marys River and
East of the Lake Erie & Western R.R.

+ Adopted, January 24th 1924

Confirmed; Feb. 14th 1924.

Cost Roll Approved, Jan. 15th 1925.

+ Cost Roll Confirmed; Feb. 12th
1925.

COMPLETED

DECLARATORY RESOLUTION
NO. 478-1924.

For the condemnation of rights of way for sewerage purposes across, through and under certain Lots and parcels of land lying South of the Pennsylvania Railroad, West of the St. Mary's River, North of Carlton Avenue and Carlton produced east to the St. Mary's River and East of the Lake Erie and Western Railroad.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary and advisable to condemn a right of way for sewerage purposes across, through and under the following described portions of lots and tracts of land:

A strip of land ten (10) feet in width from Taylor Street north crossing Swinney's Out Lot No. 28 and the land lying North of Meadow Street west of the St. Mary's River and South of the Pennsylvania Railroad, the west line of said right of way being one hundred and twenty-three (123) feet east of the east line of Bevel Street produced north; also the west twelve (12) feet of Swinney's Out Lot No. 13 from Brown Street to Eby Avenue and the west twelve (12) feet of Swinney's Out Lot No. 2 from Eby Avenue to the alley between Eby Avenue and Ontario Street; also a strip of land twelve (12) feet in width from Ontario Street to the alley north of Carlton Avenue, the east line of said twelve (12) foot strip of land being one hundred and fifty (150) feet west of Brooklyn Avenue and crossing Swinney's Out Lot "B" and Lots Numbered 19 to 7 both inclusive of Brackenridge's 1st Subdivision; also the south five (5) feet of the east one hundred and fifty (150) feet of Lot No. 11 and the north five (5) feet of the east one hundred and fifty (150) feet of Lot No. 10, both in Brackenridges 1st Addition; also a strip of land twelve (12) feet in width east and west through the center of Swinney's Out Lot No. 18; also a strip of land ten (10) feet in width crossing lots Numbered 1 to 9 both inclusive in Electric Addition. The center line of said right of way being eighty-three (83) feet east of the east line of Electric Avenue; also a strip of land twelve (12) feet in width crossing Swinney's Out Lot No. "B" and the east six (6) feet of Lot No. 10 and the west six (6) feet of Lot No. 11 both in Brackenridges 2nd Subdivision; also a strip of land twelve (12) feet in width, the south line of which is one hundred and fifty (150) feet north of Hale Avenue, said right of way crossing Lots Numbered 4 to 15 Brackenridges 2nd Subdivision; also a strip of land twelve (12) feet in width across the east portion of Lot No. 171 Electric Addition, extended; also the south six (6) feet of the east one hundred and forty (140) feet of said Lot No. 171; also the following portions in Husers 1st Subdivision: The North six (6) feet of Lots Numbered 12, 13 and 14; the west six (6) feet of Lot Number 14; the east six (6) feet of Lots Numbered 15 and 16; the west six (6) feet of Lot No. 9; the east six (6) feet of Lots Numbered 7 and 8; also the south six (6) feet of Lots Numbered 1 to 5 both inclusive of Anna Dolan's Addition and the following described portions of Lots in Brackenridges 3rd Subdivision: The south six (6) feet of the east part of Lot No. 18; the north six (6) feet of Lot No. 19; the south six (6) feet of Lots Numbered 16 and 1; and the north six (6) feet of Lots Numbered 15 and 2.

All as shown by a plan of such proposed condemnations of portions of lots and lands for a right of way for sewerage purposes as above described now on file in the office of the Department of Public Works of said City.

The property which may be injuriously or beneficially affected by the condemnation of the above described portions of lots and lands for a right of way for sewerage purposes is described as all lots and lands lying South of the Pittsburgh, Fort Wayne and Chicago Railroad, West of the St. Mary's River, North of Wabash Railroad, East of Brooklyn Avenue and north of Carlton Avenue, West of Brooklyn Avenue and East of the Lake Erie and Western Railroad.

All of the above described streets and alleys and lots and parcels of land affected by the condemnation of the above described portions of lots and tracts of land for rights of way for sewerage purposes being situated in Section 9 and 10, Township 30 North, Range 12 East and within the corporate limits of the City of Fort Wayne, Indiana.

Adopted this 24th day of January, 1924.

ATTST:

Andrew K. Kopp
Secretary-Clerk.

John B. K. K. K.
Otto Bueys
Jesse Gosnell
Board of Public Works.

PLAN

FOR CONDEMNING OF RIGHT OF WAY

FOR SEWERAGE PURPOSES

L.E.&W.R.R.
PROPERTY

EXTENDING ACROSS THRU & UNDER A PORTION OF GENERAL
ELECTRIC PROPERTY NORTH OF TAYLOR ST

LOTS 28, 13, 2, 18 & B, SWINNEY'S OUT LOTS; LOTS 1-9 INC. ELECTRIC ADD;
LOTS 7-19 INC. BRACKENRIDGES SUB; LOT 171 ELECTRIC ADD. EXT;

LOTS 7, 8, 9, 12-16, INC. HUSER'S SUB;

LOTS 4-15 INC. BRACKENRIDGES 2ND SUB;

LOTS 1-2, 15-16-18-19 BRACKENRIDGES 3RD SUB;

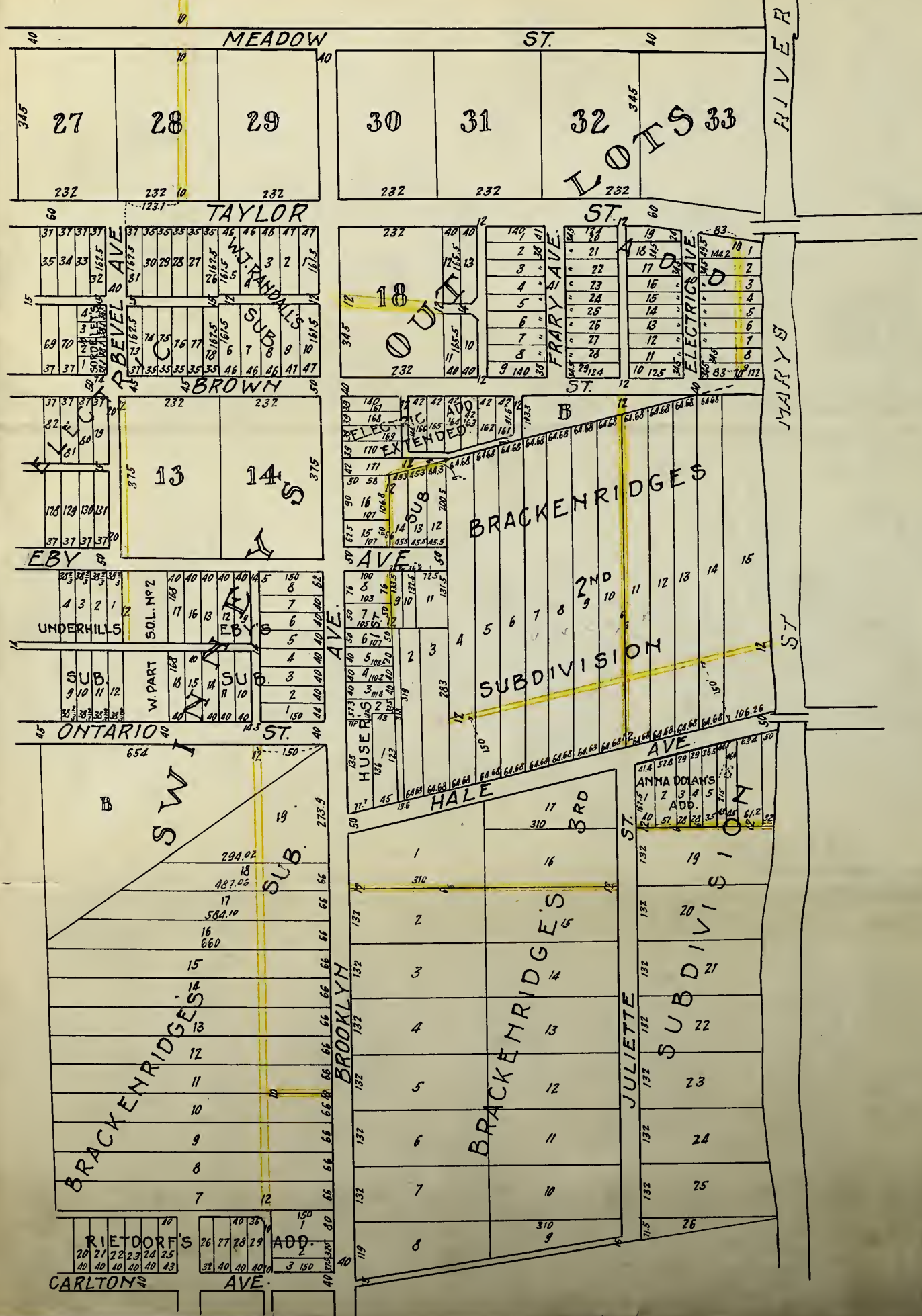
LOTS 1-5 INC. ANNA DOLAN'S SUB

GENERAL

ELECTRIC
PROPERTY

CO.

DEC. RES. 478-1924



On the wall

City of Fort Wayne



CITY-COUNTY BUILDING
ONE MAIN STREET

BOARD OF PUBLIC WORKS

NOV 30 1973

FORT WAYNE, INDIANA 46802

NOTED

☐ J.D.B.

☒ R.L.B.

☒ W.G.W.

Date _____

ENGINEERING DEPARTMENT

November 28, 1973

Mr. Tom Beadie, Attorney
Division Council
General Electric Co.
1635 Broadway
Fort Wayne, Indiana

Subject: Release of Easement Established by
Declaratory Resolution No. 478

Dear Sir:

We have reviewed a copy of subject easement on land owned by General Electric Company, and ask that you rewrite the area circled so that it is more clear that the City of Fort Wayne will be held harmless in granting a release of this easement to General Electric Company. We are submitting herewith a copy of a similar type of release that you may use as a guide. Also please state who prepared the document.

If you have any questions please contact Duane Embury of this department and/or the undersigned.

Very truly yours,

Philip R. Boller, P.E.
Chief Water Pollution Control Engineer

PRB/DE/iw
Attachment

cc: Board of Public Works ✓
Dr. Petro
Vance Fenimore, G.E. Co.,
2000 Taylor St., Ft. Wayne, Ind.

May 14, 1974

Mr. T. N. Beadie
General Electric Company
1635 Broadway
Fort Wayne, Indiana 46804

Re: Release of Easement Established by
Declaratory Resolution No. 478

Gentlemen:

Enclosed is copy of above subject for your files.

Yours truly,

J. D. BOSWELL
R. L. BONAR
W. G. WILLIAMS
BOARD OF PUBLIC WORKS

ajf

enclosure

CC:- D. Embury, WPC Engr.
- Dec. Res. #478 ✓
- Original filed in
Bd. of Public Works

478

74-08845

60-312-20

4/30/74

RELEASE OF INTEREST IN EASEMENT

WHEREAS:

1. General Electric Company is the owner of a tract of land in the City of Fort Wayne, Allen County, Indiana platted and recorded February 23, 1932 in Plat Book 14 page 40 in the Office of the Recorder of Allen County, Indiana; which tract is located on Taylor Street west of Saint Mary's River and is shown on the attached plat of survey of General Electric Co. Lot No. 6 dated January, 1942; and
2. The City of Fort Wayne is the owner of an interest in an easement on a portion of said tract, consisting of a 10 foot wide sewer easement established by Declaratory Resolution 478 in 1924 recorded in Plat Book 11 page 69 in the Office of the Recorder of Allen County, Indiana; which portion subject to said easement contains a sewer line but no other utilities of any kind; and
3. General Electric Company desires to acquire all rights and interests of the City of Fort Wayne in said easement and sewer line, and to thereupon assume full responsibility and liability for the operation servicing, maintenance, repair, reconstruction and use or removal of said sewer line; and

1974 APR 26 PM 2:34

ALLEN COUNTY RECORDER

James E. Gribb

DULY ENTERED FOR TAXATION

APR 26 1974

Dorothy E. Raver
AUDITOR OF ALLEN COUNTY

Instrument H

1739

Book 14 Page 40

670

NOW, THEREFORE the undersigned on behalf of the City of Fort Wayne hereby releases to General Electric Company all rights and interests of the City of Fort Wayne in said 10 foot wide sewer easement established by Declaratory Resolution 478 in 1924 recorded in Plat Book 11 page 69 in the Office of the Recorder of Allen County, Indiana, and said sewer line.

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this 2

NOT A SEAL
INDIAN REPUBLIC
State of

NOTARY PUBLIC

State of Indiana :
County of Allen : ss:

this di

SEAL

NOTARY PUBLIC

My Commission Expires: Dec. 9, 1975

